Approaches and Challenges of Peru’s National Defense and Security Policy

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Introduction

In 2017, the National Security and Defense Council (COSEDENA) approved the National Security and Defense Policy (PSDN) in order to strengthen the operation of the National Defense System (SIDENA). This policy, still in force, contains three objectives and twenty-nine guidelines, which should guide the activities of all the actors involved in National Security and Defense. However, in 2018, the National Center for Strategic Planning (CEPLAN), the governing body of the National System for Strategic Planning, approved the "National Policy Guide"; thus establishing the methodology for the design, formulation, implementation, monitoring and evaluation of national policies, as well as the procedure to be applied to update them. The approval of this Guide not only requires the updating of the PSDN, but also generates controversy with other current regulations, such as the case of Legislative Decree No. 1129 that governs SIDENA. In this sense, this article analyzes the PSDN of Peru, identifying the various factors that influenced its formulation and pointing out some aspects that should be corrected during its updating process, in order to have a coherent and feasible national policy.

Policy Approaches and Considerations

The design and formulation of national policies is strongly influenced by both external and internal factors. This is a reality to which the Peruvian State has not been oblivious, since the formulation of the current PSDN new security approaches were considered, as well as the changes introduced in the national regulations. On the one hand, at the international level, a broader concept of Security began to be formed, which modifies the approach that prioritizes the defense of the territory versus another that incorporates the protection of the person, supported by development actions. In this sense, in the “Declaration on Security at the...
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Americas,” held at the Special Conference on Security of the Organization of American States in 2003, it was recognized that threats, concerns, and other challenges to security in the Hemisphere they are diverse in nature and multidimensional in scope, therefore, the concept of traditional threats (of an external military type) should be expanded to incorporate a set of new threats, for which the States are also responsible. This multidimensional approach to security forces States make develop comprehensive strategies to effectively confront these threats, not only through the use of the military instrument, but also through the articulated use of all elements of national power, including development cooperation.

Additionally, since 1994, the United Nations has promoted the human security approach. This approach relates security no longer to States but to people, so that security is intrinsically linked to the well-being of human beings, who must have the ability to satisfy their basic needs in a safe environment. Likewise, human security broadens the scope of the term “Security” to other dimensions such as economic, food, health, environmental, personal, community and political security.

On the other hand, at the national level there have been a series of regulations that, although they try to optimize the National Security and Defense System, many times generate gaps and contradictions with others that already exist. In this regard, taking into consideration that the Political Constitution of Peru, in its article 44, establishes that the primary duties of the State are to defend national sovereignty, guarantee the full validity of human rights, protect the population from threats to their security and promoting the general welfare, in 2002, the National Agreement Forum, which brings together the main political and social forces of the country, approved the Ninth Policy called “National Security Policy.” Later, in 2004, the State Policy for Defense and National Security (PEDSN) was approved; However, its classification as “Secret” did not allow for a comprehensive, articulated and coordinated implementation by State entities. Likewise, in 2011, the Strategic National Development Plan for 2021 was approved, which considers the “Operation and Efficiency of the National Security and Defense System” as one of the priorities of Strategic Axis 3 (State and Governance).

Later, in 2012, Legislative Decree No. 1129 was enacted, which regulates SIDENA and establishes that COSEDENA has the function of approving the Objectives and the PSDN. Additionally, Legislative Decree No. 1134 was enacted, which approves the Law of Organization and Functions of the Ministry of Defense (MINDEF), through which this Ministry is assigned the governing function of directing, coordinating, executing, supervising and evaluate PSDN. Meanwhile, in 2016, the Presidency of the Council of Ministers (PCM) ordered that the former Secretary of National Security and Defense (SEDENA) merge with MINDEF. A year later, in 2017, MINDEF ordered the Vice Ministry of Defense Policies to assume the
functions of the former SEDENA, including formulating and proposing to COSEDENA the Objectives and the PSDN.  

Within this context, influenced by both the international and national spheres, in 2017, Supreme Decree No. 012-2017-DE was enacted, which approves the current PSDN, rendering the 2004 PEDSN ineffective. This Policy, formulated by MINDEF and approved by COSEDENA, incorporates two important approaches (multidimensional and human security), and identifies the State and the human person as subjects of National Security and Defense. Likewise, it indicates as objects of this Policy, sovereignty, independence and territorial integrity, the rule of law and national interests (corresponding to the subject “State”), in addition to social peace and the protection of fundamental rights (corresponding to the subject "human person").

Taking into consideration that every national policy aims to solve a certain public problem, the identification of the national security problem required considering a set of social, political, economic, diplomatic, technological, environmental, and military phenomena that threaten the Peruvian State and the population, putting at risk the continuity of the Nation, as well as truncating the development options of the people. In this regard, diverse literature on the problems that, due to their magnitude, affect National Security, agrees that in Peru areas such as citizen insecurity, illicit drug trafficking, terrorism, organized crime, illegal trafficking require attention, weapons, the poor quality of justice services, corruption, inadequate State management, social conflicts, informal and illegal mining activities, environmental pollution, vulnerability to disasters, low levels of development technological or poverty, among others.

Unfortunately, inadequate action or inaction in the treatment of the National Security problem affects the development of other problems, generating effects capable of aggravating it. In order to face this problem and guide the actions of all the actors involved, the PSDN - using the multidimensional security approach - establishes three objectives (focused, respectively, in the external, internal, and human development spheres) and twenty-nine guidelines, which are intended to be achieved through an adequate intersectoral and intergovernmental articulation. In this sense, the guidelines of the Policy represent the set of guidelines to be implemented by the different levels of Government (national, regional, and local).

On the one hand, the First Objective of the PSDN ("Guarantee sovereignty, independence, territorial integrity and the protection of national interests") is related to the set of provisions and actions that the State generates and executes permanently to guarantee the sovereignty, independence and territorial integrity, as well as the protection of national interests. This objective is intended to be
achieved through the implementation of nine guidelines, such as: (1) Promote active, articulated and comprehensive participation of the State and society, (2) Control and protect the territory, (3) Reach the level of capabilities military and its modernization, (4) Actively participate in international organizations, (5) Strengthen the Intelligence System - external threats, (6) Promote identity and commitment to the Nation, (7) Protect critical national assets - cyberspace, (8) Promote education in national security and defense and (9) Strengthen national identity.

On the other hand, the Second Objective ("Guarantee Internal Order by contributing to the normal functioning of the political-legal institutionality of the State") is related to the set of provisions and actions that the State permanently adopts to guarantee the stability and normal functioning of the State, the political-legal institutionality. To achieve this objective, thirteen guidelines have been proposed: (1) Strengthen the rule of law, (2) Consolidate governance, (3) Strengthen systems, (4) Strengthen the fight against terrorism, illicit drug trafficking, Organized crime, criminality and delinquency, (5) Strengthen the intelligence system - internal threats, (6) Reach the level of police capacity, (7) Fight against corruption, (8) Strengthen and modernize the administration system of justice, (9) Promote the reform and adaptation of the legal system, (10) Strengthen and modernize the Penitentiary System, (11) Reach the level of capacity of the maritime authority, (12) Promote the development of technologies and (13) Encourage prevention and proper management of social conflicts.

Finally, the Third Objective ("Achieve levels of sustainable development that contribute to guaranteeing national security") is related to Human Development, which is the process of creation, expansion or rational, sustained and sustainable increase of economic, psychosocial, political, scientific, technological, environmental and military, that allow to achieve increasing levels of general well-being. This objective tries to be achieved through the implementation of seven guidelines, such as (1) Reduce inequality gaps, (2) Promote the development of renewable and clean energy projects, (3) Promote development in science, technology and innovation, (4) Promote the development of public infrastructure, (5) Promote comprehensive participation in economic and social development, (6) Ensure the protection and conservation of the environment and (7) Ensure research, development and use of aerospace technology.

**Challenges to face**

Regarding the articulation of PSDN, it should be considered that these three objectives are developed in several dimensions through guidelines (briefly described in the previous paragraphs), which must be incorporated first in the sectorial policies and plans (articulation horizontal) and, later, in regional and local
policies and plans (vertical articulation). In this way - ideally - the general coordination mechanisms for the execution (orderly and planned) of this national policy at sub-national levels are configured. Likewise, in relation to the implementation of the PSDN, the components of SIDENA (Ministries, Public Organizations, Regional and Local Governments) are the ones that take executive action in the implementation of this Policy, so they must plan, program, execute and supervise the actions of National Security and Defense, involving in this effort the private sector, academic and civil society, but -mainly- themselves.

PSDN states that if the effects of the Policy are not perceived by the citizen, it is because it has flaws in its content or its articulation, requiring the necessary changes and / or corrections to be made, after a careful analysis of the evaluation process. In this sense, more than three years after PSDN was approved, there is public ignorance of the results obtained during its implementation, and its effects are not perceived. Likewise, there are gaps and normative contradictions that affect both its formulation and its articulated implementation. For example, this multisectoral national policy has not been implemented through a Multisectoral Strategic Plan (PEM), as indicated by CEPLAN, which undermines its articulated execution, as well as its monitoring and evaluation through indicators that allow the identification of baselines and goals.

Additionally, the fact that PSDN has been formulated by the MINDEF and that this Ministry -in turn- has the leadership and conduction of this Multisectoral National Policy constitutes a great limitation, since the adoption of the multidimensional approach to security involves the participation of all Sectors and levels of Government (a whole-of-government approach), and the leadership and management of this Policy should fall on an institution with greater convening and supervisory power, as is the case of the PCM. In this way, there would be a public policy designed and articulated at the highest level, from which other specific policies and strategies could be derived to face interrelated problems, such as Transnational Organized Crime. In the Peruvian case, while the multisectoral PSDN (formulated by the MINDEF, in its capacity as governing body) contemplates the strengthening of the fight against terrorism, illicit drug trafficking, organized crime, criminality and delinquency as one of the guidelines to achieve the Second Objective of this Policy, there are other National Multisectoral Policies that intend to face the same problems and that have been formulated by different public entities, as they are the governing bodies of these Policies, such as the National Policy against Drugs by 2030 (Rector: PCM), the National Policy for the Fight against Organized Crime (Rector: Ministry of the Interior), the National Multisectoral Policy for the Fight against Terrorism (Rector: Ministry of the Interior) and the National Policy against Laundering of Assets and the Financing of Terrorism (Rector: Ministry of Justice), among others. The way in which these public policies have
been designed, formulated, and implemented is a clear example of the lack of connection and coordination that has been taking place in the Peruvian State, and their immediate rectification is imperative.

This situation is aggravated by the fact that since the merger by absorption of the former SEDENA into MINDEF was carried out (in 2016), the functions of this Secretariat have been assumed - within the Vice Ministry of Defense Policies - by “SIDENA Functional Management Unit” 23 This shows the level occupied by the entity responsible for the management of SIDENA and the limitations it has to articulate the operation of the System with all the components. 24 On the other hand, the approval of the “National Policy Guide” formulated by CEPLAN in 2018 not only requires updating PSDN (since it must be drawn up according to the structure established in Annex No. 1 of Supreme Decree No. 029-2018-PCM that approves the Regulation that regulates National Policies), but also generates controversy with Legislative Decree No. 1129 that governs SIDENA. In this sense, while the document prepared by CEPLAN indicates that all national policies must be approved by Supreme Decree with the approving vote of the Council of Ministers, after CEPLAN’s technical opinion, Legislative Decree No. 1129 indicates that the approval of The objectives and the PSDN correspond to COSEDENA, the governing body of SIDENA. Likewise, the Guide approved by CEPLAN does not consider the need to have important inputs for the formulation of the PSDN, such as the Strategic Conception of National Security and Defense (CESDN), or significant instruments of the PSDN, such as the Security Strategy and National Defense (ESDN), as stated in Legislative Decree No. 1129 that regulates SIDENA.

In this regard, CESDN used for the formulation of the current PSDN is not public knowledge, which makes it difficult to understand both what is really wanted to achieve, as well as the level of commitment required by the actors involved. Likewise, the lack of an ESDN constitutes one of the major limitations for the implementation of PSDN, since this -the Strategy- takes into consideration not only the way in which the objectives of the Policy are going to be achieved, but also the resources to use. The proper articulation of goals, modes and means is considered essential for the development of any strategy that seeks to be effective. If PSDN is considered essential for national security and development, the resources that allow its effective implementation and the development of the capacities required by the public entities involved must be secured; otherwise, this Policy will remain a list of good intentions. However, the existence of a properly formulated PSDN and ESDN - per se - does not guarantee success. This requires, in addition, the permanent and visible will, commitment, competence and ethics of both the highest political authorities and the public officials of the competent entities. At the same time, the urgent updating or development of its own National
Security and Defense Doctrine is required, which provides the essential foundations for the design and formulation of a coherent national policy.

Conclusions

Peruvian PSDN, formulated by MINDEF and approved by COSEＤENA, incorporates two important approaches (multidimensional and human security), and identifies the State and the human person as subjects of National Security and Defense. Considering that the three objectives and twenty-nine guidelines of this Policy intend - ideally - to solve the problems of National Security, the design, formulation, and implementation of the PSDN must be carried out in a comprehensive manner and with a greater show of commitment on the part of the actors involved. Various external and internal factors have influenced the formulation of this Policy; however, a coordinated work and political decision is required to correct the gaps and clarify the controversies that still exist, limiting the development of PSDN.

As this is a Multisectoral National Policy, it is urgent to develop a PEM that facilitates its adequate articulation, implementation, monitoring and evaluation. Likewise, it is essential that the rectory of PSDN be entrusted to an entity with greater power of convocation and control, such as the PCM.

On the one hand, the enhancement of COSEＤENA is essential for the proper functioning of SIDENＡ, reviewing the decision to disappear -in practice- SEDENA. On the other hand, updating the National Security and Defense Doctrine, the dissemination of the CESDN, as well as the formulation of an ESDN are essential if a coherent and feasible PSDN is to be established.

Final Notes

2 CEPLAN, Guía de Políticas Nacionales (14 de Noviembre de 2018), https://www.ceplan.gob.pe/guia-de-politicas-nacionales/
3 Decreto Supremo No 012-2017-DE
4 Ibíd.
6 Decreto Supremo No 012-2017-DE
8 Decreto legislativo que reforma el sistema de Defensa Nacional (06 de diciembre de 2012), Decreto Legislativo No 1129, https://busquedas.elperuano.pe/normaslegales/decreto-legislativo-que-regula-el-sistema-

10 Decreto Supremo que Aprueba la adscripción de organismos públicos y la modificación de la dependencia, adscripción o fusión de instancias de la Presidencia del Consejo de Ministros a diversos ministerios (15 de agosto de 2016), Decreto Supremo N° 061-2016-PCM https://busquedas.elperuano.pe/normaslegales/aprueba-la-adscripcion-de-organismos-publicos-y-la-modificac-decreto-supremo-n-061-2016-pcm-1416370-1/ (consultado el 15 de mayo de 2021)


12 Decreto Supremo No 012-2017-DE

13 Ibíd.

14 Ibíd.

15 Ibíd.

16 Ibíd.

17 Ibíd.

18 Ibíd.

19 Ibíd.

20 Ibíd.

21 Ibíd.

22 CEPLAN, Políticas nacionales y sectoriales – Base de Datos, https://www.ceplan.gob.pe/politicas-nacionales-y-sectoriales/ (consultado el 15 de mayo de 2021)


24 Decreto Legislativo No 1129.